IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE WINCHESTER DIVISION

LAUREN EWING,)
Plaintiff,)
v.) No. 4:23-CV-00062
VGW, LTD., VGW HOLDINGS US,)
INC., VGW US INC., VGW)
LUCKYLAND, INC.)
)
Defendants.)

PARTIES' JOINT MOTION TO ADOPT STIPULATED BRIEFING SCHEDULE PURSUANT TO LOCAL RULE 7.1(a)

Plaintiff Lauren Ewing and Defendants VGW Holdings Ltd. (incorrectly named in the complaint as VGW, Ltd.), VGW Holdings US, Inc., VGW US, Inc., and VGW Luckyland, Inc. (collectively, "VGW," and collectively with Plaintiff, "Parties"), by and through their undersigned counsel, respectfully move this Court to adopt the Parties' stipulated briefing schedule for Plaintiff's pending Motion to Remand and VGW's pending Motion to Dismiss and Motion to Compel Arbitration. In support of this unopposed motion, the Parties state as follows:

- 1. This action was commenced by the filing of a Complaint on November 13, 2023, in this Coffee County Circuit Court (Doc. 1-1).
 - 2. VGW removed this case to this Court on December 19, 2023 (Doc. 1).
- 3. Plaintiff moved to remand this case to Coffee County Circuit Court on January 12, 2024 (Doc. 18). The Parties understand that VGW's deadline to oppose Plaintiff's Motion to Remand currently is February 2, 2024. *See* L.R. 7.1(a) (21 days to respond to dispositive motions); *Vogel v. U.S. Off. Prod. Co.*, 258 F.3d 509, 517 (6th Cir. 2001) (remand motion is "dispositive" for purposes of the statute governing a magistrate judge's authority); *George v. Westgate Resorts*,

- Ltd., L.P., No. 318CV00512JRGDCP, 2019 WL 13195299, at *1 (E.D. Tenn. July 22, 2019) (assuming 21-day deadline applied to opposition to remand motion).
- 4. Pursuant to this Court's Order Denying Motion For Extension of Time to Answer (Doc. 10) (the "Order"), VGW moved to compel arbitration on January 22, 2024 (Doc. 21).
- 5. Pursuant to that same Order, VGW also moved to dismiss Plaintiff's Complaint on January 22, 2024 (Doc. 22).
- 6. The Parties respectfully request that this Court enter a further order setting additional deadlines in this matter as follows:
 - a. VGW's deadline to file its opposition to Plaintiff's Motion to Remand shall be on or before February 9, 2024;
 - b. Plaintiff's reply in support of Plaintiff's Motion to Remand shall be due by February 16, 2024;
 - Plaintiff's deadline to file her oppositions to VGW's Motion to Compel Arbitration and Motion to Dismiss shall be on or before March 1, 2024; and
 - d. VGW's replies in support of VGW's Motion to Compel Arbitration and Motion to Dismiss shall be due by March 29, 2024.
- 7. The Parties respectfully submit that the proposed briefing schedule would be beneficial to the Parties and the Court. The Parties have agreed to this schedule to allow for coordination among the multiple other similar cases pending before the Court involving the same plaintiff counsel but different firms representing the various defendants, see Order (Doc. 10), given the number of motions and briefs that have been and will need to be filed.

For the foregoing reasons, the Parties respectfully request that the Court grant their joint motion to set a briefing schedule and enter the schedule set forth in **Exhibit A**.

Dated: January 26, 2024

Respectfully Submitted,

/s/ Nathan L. Kinard

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